Students

Use of Physical Force

ADMINISTRATIVE REGULATIONS ON SECLUSION AND RESTRAINT OF PERSONS WITH DISABILITIES WHO ARE "PERSONS AT RISK" AS DEFINED BY STATE LAW IN THE FAIRFIELD PUBLIC SCHOOLS **5144.1 AR**

A minimum of three (3) staff members from each building will be trained (certified and/or recertified) in Physical Management Techniques each school year. A list of all trained staff will be maintained by the Department of Special Education and a building list will be provided to each building administrator annually.

Definitions:

I. Definitions

(a) "Person at risk": For purposes of this policy, a "person at risk" is a child requiring special education pursuant to the Individuals with Disabilities Education Act and related state laws, or a child who is being evaluated for eligibility for special education services and is awaiting a determination regarding eligibility (referenced herein also as "student").

(b) "Provider": A "provider" is a staff person, either certified or non-certified, who provides direct care, education or supervision of a person at risk.

(c) "Assistant provider": An "assistant provider" is a staff person, either certified or non-certified, who is assigned to provide, or who may be called upon in an emergency to provide, assistance or security to a provider of care, education or supervision of a person at risk.

(d) "Life threatening physical restraint": Means any physical restraint or hold of a person that restricts the flow of air into a person's lungs, whether by chest compression or other means. Chest compressions provided in an emergency for the purpose of cardio-pulmonary resuscitation are not life threatening physical restraint.

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(e) "Physical restraint": Means any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head. The term does not include (1) Briefly holding a person in order to calm or comfort the person; (2) restraint involving the minimum contact necessary to safely escort a person from one area to another; (3) medical devices, including but not limited to supports prescribed by a health care provider to achieve proper body position or balance; (4) helmets or other protective gear used to protect a person from injuries due to a fall; or (5) helmets, mitts, and similar devices used to prevent self injury when the device is part of a documented individualized education program (IEP) and is the least restrictive means available to prevent such self-injury.

(f) "Psychopharmacological agent": Means any medication that affects the central nervous system, influencing thinking, emotion, or behavior.

(g) "Seclusion": Means the confinement of a person in a room, whether alone or with staff supervision, in a manner that prevents the person from leaving. Seclusion does not include disciplinary detention or in-school suspension.

Seclusion:

The following Procedures for Seclusion apply unless superseded by the student's BIP or IEP:

(1) Upon the student's arrival in the seclusion area, the door should be left open and a timer is placed outside the door designating the number of minutes that the student must exhibit acceptable behavior in seclusion before being allowed to return to regularly scheduled activities (usually 5 to 10 minutes). The door to the seclusion area will remain open unless the student exhibits behavior that presents a danger to himself/herself on the way to the seclusion area, or upon arrival or once in the seclusion space, or the student's behaviors become loud and disruptive such that they interfere with nearby instruction.

(2) A provider or assistant provider will remain outside the open door and refrain from conversation with the student. In the event that the student attempts to leave the area prior to the completion of the seclusion period, the provider or assistant provider will attempt to issue a verbal warning to remind the student of the consequences of non-compliance. If this is not possible, the provider or assistant provider will physically block the student's departure from the seclusion area using appropriate PMT strategies. If physical restraint is applied to the student to prevent the student from leaving the seclusion area, procedures applicable to physical restraint must be applied.

(3) If the door must be closed, the supervising staff member must remain outside the door, holding the latch in the lock position (if applicable) and watching the student. Line of sight supervision must be maintained at all times. In no event may seclusion be extended for more than a total of sixty (60) minutes, unless emergency personnel have been summoned and the student is awaiting transport to an emergency facility and continuing to present dangerous behaviors, or upon written authorization of the building principal or designee.

(4) While in the seclusion area, the student must refrain from any inappropriate behavior, including but not limited to (a) cursing, (b) yelling, (c) banging on the floor, walls or door of the seclusion space, or (d) threatening.

(5) In the event that the student engages in any inappropriate behavior during the seclusion period, the timer is stopped and is restarted only when the student has ceased to engage in the target behaviors. If the student does not cease to engage in the target behaviors upon verbal redirection, and if the student's behavior is potentially harmful to self or others or to property, the provider or assistant provider may use appropriate PMT techniques to assist the student in regaining control. If physical restraints are applied, procedures applicable to the use of physical restraint must be followed.

(6) The provider or assistant provider will remain in line of sight of the student at all times and will maintain data on the student's behavior while in seclusion. The provider or assistant provider shall record an evaluation taken at a minimum of five (5) minute increments, of any indications of physical distress on the part of the student placed in seclusion. A record of the seclusion and behavior during seclusion shall be maintained on the appropriate district form, which shall include the nature of the emergency or provision of the student's IEP that necessitated the use of seclusion. The record shall include the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising (if there were any indications that the emergency was likely to arise), and a detailed description of the nature of the restraint or seclusion, its duration and effect on the student's established medical or behavioral support or educational plan.

(7) The student will be permitted to leave the seclusion area upon completion of the seclusion period, which will be determined by (a) the student's IEP, or (b) five (5) to ten (10) minutes of quiet and appropriate behavior, during which the provider or assistant provider judges that the student has regained sufficient composure to be released to the educational environment (10-76b-7(d)).

(8) Upon completion of the seclusion period, the student will be given a brief explanation of why the seclusion period has ended (e.g., you have been sitting quietly for 5 minutes) and permitted to return to regularly scheduled activities or assigned to another designated space.

(9) If the student has engaged in any behavior during seclusion that was dangerous to his/her physical safety or the safety or others, the student shall be examined by the school nurse or other qualified medical personnel before proceeding to the next activity or location. If the use of seclusion results in physical injury to the student, such instance of physical injury must be reported to the State Department of Education.

(10) Each instance of seclusion shall be reported to the Director of Special Education and to the parent or legal guardian of the student within twenty-four (24) hours following the incident resulting in seclusion. An incident report will be provided to parents within two business days.

Physical Restraint:

The following Procedures for Physical Restraint shall apply unless superseded by individualized procedures applicable to an individual student:

(1) A provider or assistant provider will be called to respond to the situation requiring PMT intervention.

(2) The school nurse will be called to the site to monitor the physical condition of the student being restrained.

(3) Physical restraint will be applied in the least restrictive manner appropriate to gain behavioral control of the student, using the least amount of force needed, and for the least amount of time necessary.

(4) Physical restraint shall be terminated when the provider or assistant provider determines that the student has regained physical and/or emotional control and no longer poses a threat to himself/herself and/or others.

(5) The student who is being physically restrained shall be continuously monitored by a provider or assistant provider, and shall be regularly evaluated for indications of physical distress. Line of sight supervision must be maintained at all times while the student is being physically restrained. The provider or assistant provider shall enter observations, recorded at intervals of no less than five (5) minutes, on (or to be transferred to) the appropriate district form, to be retained in the student's educational record. The record shall also include the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising (if there were indications that the emergency was likely to arise), and a detailed description of the nature of the restraint, its duration and effect on the student's established medical or behavioral support or education plan.

(6) Physical restraint is not permitted to last more than twenty (20) minutes without review and approval by the building principal or designee. Approval by the building principal or designee for continuation of physical restraint must be provided for every ten (10) minute increment thereafter. At each such interval, consideration must be given to moving to a less restrictive alternative, such as seclusion or time-out. In no event may physical restraint be extended for more than a total of sixty (60) minutes, unless emergency personnel have been summoned and the student is awaiting transport to an emergency facility and continues to exhibit dangerous behaviors.

(7) Each instance of physical restraint shall be reported in writing to the Director of Special Education and to the parent or legal guardian of the student within twenty-four (24) hours following the incident resulting in physical restraint. An incident report will be provided to the parents within two business days.

(8) Once the physical restraint has been terminated, the student shall be examined by the school nurse or other qualified medical personnel for signs of any physical injury. If the use of physical restraint results in physical injury to the student, such instance of physical injury must be reported to the State Department of Education.